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10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 DISTRICT COUNCIL 16 NORTHERN  
CALIFORNIA HEALTH AND WELFARE  
13 TRUST FUND, et al.,

Case No.: C09-2101 SI

**[PROPOSED] JUDGMENT**

14 Plaintiffs,

15 v.

16 S & S FLOORING, INC.,

17 Defendant.

18 Defendant S & S FLOORING, INC., having failed to plead or otherwise defend in this  
19 action and its default having been entered:  
20

21 Now, upon application of the Plaintiffs and upon declaration that Defendant has failed and  
22 refused to pay employee contributions found due on audit as well as audit costs; that Defendant  
23 has been defaulted for failure to appear; and that Defendant is neither an infant nor an incompetent  
24 person, nor in the military service of the United States, it is hereby

25 ORDERED, ADJUDGED AND DECREED that Defendant S & S FLOORING, INC.,  
26 shall promptly pay to Plaintiffs all sums due and owing under the terms of the Collective  
27 Bargaining Agreement and Trust Agreements as amended and incorporated therein, according to  
28 proof.

1 It is further Ordered that Plaintiffs recover from Defendant their attorneys' fees, together  
 2 with costs, audit costs, and all sums found on audit to be due and owing under the terms of the  
 3 Collective Bargaining Agreement and Trust Agreements as amended and incorporated therein,  
 4 according to proof:

5	10/1/02-9/30/06 Audit	Contribution Underpayments	\$41,858.41	
6		Liquidated Damages Fees	\$4,185.86	
7		Interest	\$7,160.95	
8		Audit Fees	\$4,241.00	
9				\$57,446.22
10	Attorneys' Fees (through 10/16/09)			\$2,719.00
11	Costs (through 7/9/09)			\$646.59
12	<b>TOTAL</b>			<b>\$60,811.81</b>

13 IT IS SO ORDERED, that judgment be entered totaling **\$60,811.81**. Post-judgment  
 14 interest shall accrue at the rate of 5% per annum on contribution underpayments and liquidated  
 15 damages (\$46,044.27), and at the legal rate on the other amounts due (\$14,767.54), from date of  
 16 Judgment to satisfaction of Judgment. The Court shall retain jurisdiction over this matter to  
 17 enforce the terms of this Judgment.

18 Dated: \_\_\_\_\_

19 THE HONORABLE SUSAN ILLSTON  
 20 UNITED STATES DISTRICT COURT JUDGE

